

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMECO BELL,

Defendant.

No. CR 09-4033-MWB

**MEMORANDUM OPINION AND
ORDER REGARDING DEFENDANT
BELL'S MOTION IN LIMINE**

In a Second Superseding Indictment (docket no. 140), handed down October 21, 2009, defendant Jameco Bell and several co-defendants were charged with conspiracy to distribute and to possess with intent to distribute marijuana, all in violation of 21 U.S.C. § 846. Trial against Bell and remaining co-defendants is set to begin on February 22, 2010.

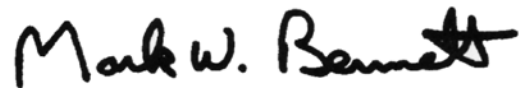
This case is before the court on defendant Bell's February 2, 2010, Motion In Limine (docket no. 246), in which Bell asks the court to exclude evidence of thirty-nine prior convictions, only four of which are for drug offenses, and only one of those drug offenses is a felony conviction, but it involved possession of cocaine, not distribution of marijuana.¹ In a Response (docket no. 257), filed February 5, 2010, the prosecution asserts that it "does not object to the defendant's request."

¹ Defendant Bell filed a substantially similar Motion In Limine (docket no. 129) on October 22, 2009, differing primarily in that it contained less specificity as to some recent convictions in Woodbury County, Iowa. The day before that motion was filed, however, the Grand Jury handed down the Second Superseding Indictment (docket no. 140), and the trial was subsequently continued. The court believes that Bell's present Motion In Limine (docket no. 246) is intended to supersede Bell's original Motion In Limine (docket no. 129).

THEREFORE, finding no opposition from the prosecution, defendant Jameco Bell's February 2, 2010, Motion In Limine (docket no. 246) is **granted in its entirety**. Defendant Bell's prior Motion In Limine (docket no. 129), filed October 21, 2009, and addressing substantially the same evidence, is **denied as moot**.

IT IS SO ORDERED.

DATED this 5th day of February, 2010.

A handwritten signature in black ink that reads "Mark W. Bennett". The signature is written in a cursive style with a horizontal line extending from the end of the name.

MARK W. BENNETT
U. S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA